

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

103

COCP No. 913 of 2016 (O&M)

Date of Decision: 08.07.2016

Som Nath Kanoujia

.....PETITIONER

VERSUS

Raj Shekhar Attri

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Rohit Ahuja, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J (ORAL)

In the present contempt petition, the grievance of the petitioner is with regard to the non-compliance of the order dated 23.09.2015 (Annexure P-2) passed by this Court in CWP No. 20295 of 2015 titled as Som Nath Kanoujia vs. State of Punjab and others, whereby a direction was issued to the District and Sessions Judge, Jalandhar, to consider and decide the objections filed by the petitioner on 10.09.2015, according to which the proceedings, which were initiated against the petitioner, were barred under the provisions of Rule 2.2(b) of the Punjab Civil Services Rules.

It is the contention of the learned counsel for the petitioner that no decision has been conveyed with regard to the said objections, as have been raised by the petitioner, with regard to the initiation of the proceedings against the petitioner and, therefore, the respondent has rendered himself liable for initiating the contempt proceedings against him for non-

Act, 1971.

This contention of the learned counsel for the petitioner is not acceptable in the light of the communication dated 19.10.2015 (Annexure P-7) which clearly indicate that the proceedings against the petitioner have been dropped for which a show cause notice was issued to him. Further, the communication dated 05.12.2015 (Annexure P-11) also indicates that the order passed by this Court has been duly complied with. The contention of the counsel is that these are not the decisions on the objections in compliance with the order passed by this Court. This contention of the counsel for the petitioner again cannot be accepted as the decision has been conveyed to the petitioner vide these communications, which clearly establish the compliance of the order passed by this Court.

A perusal of the order dated 23.09.2015 (Annexure P-2) passed by this Court in CWP No. 20295 of 2015 indicates that there is no direction issued by this Court that the order, so passed on the objections, has to be specifically conveyed to the petitioner with reasons. What has been ordered is consideration of the objections and taking a decision thereon, which has been taken by the respondent vide the above-referred two communications.

The present contempt petition is devoid of merit and, therefore, the same stands dismissed.

July 08, 2016

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**